GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:3570
ANSWERED ON:22.12.2004
REINSTATEMENT OF GUILTY OFFICERS
Mahtab Shri Bhartruhari

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the Government is aware that officers found guilty after the CBI raids have been reinstated in Government service even before their acquittal from the courts;

(b) if so, the number of such officers in administrative services;

(c) whether the CBI raids have increased during the last two years; and

(d) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTRY AFFAIRS.(SHRI SURESH PACHOURI)

(a): Searches by CBI do not establish guilt of an officer until he is found guilty by the competent court. Till such time, the Government after considering the facts of each case has to decide whether the concerned member of the service/Government servant should be placed under suspension. During the period of suspension, officers are entitled to subsistence allowance at the rate of 50% of last pay for the first three months and thereafter at the rate of 75%, without their performing any duties. Besides, Criminal cases take a long time to conclude. Taking into account facts and circumstances of each case, Government may decide to continue or revoke suspension during the pendency of the investigation, inquiry or trial.

(b): As per the information available in this Department 22 officers of the Indian Administrative Service who are facing trial before criminal courts are discharging their duties.

(c) & (d): According to the information received from CBI, during the period 2001, 2002, 2003 & 2004 (up to 30/11/2004) CBI has registered 1105, 1159, 1068 and 1095 cases respectively for investigation. During the course of investigation of cases, searches, if warranted, are conducted depending on the facts and circumstances of individual cases. Searches are also conducted in the cases registered in previous years. Total number of searches conducted in a particular year in the cases investigated during that year is not compiled. Hence, it is not possible to give definite reply to the question that raids conducted by CBI during the last two years are increasing.